

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Aug 23, 2023

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JIM HATLEY and BRENDA
HATLEY,

Plaintiffs,

v.

MCCARTHY & HOLTHUS LLP,
QUALITY LOAN SERVICE CORP
WASHINGTON, SELECT
PORTFOLIO SERVICING, INC.,
WILSON REAL ESTATE LLC,
DONALD AND LASHELE
CHURCH,

Defendants.

No. 1:23-CV-03007-MKD

ORDER ADOPTING REPORT AND
RECOMMENDATION and
DISMISSING COMPLAINT
WITHOUT PREJUDICE

ECF Nos. 15, 22

Before the Court is Magistrate Judge Goeke's Report and Recommendation regarding Plaintiff's application to proceed *in forma pauperis*. ECF No. 22. The Court has reviewed the record and is fully informed.

1 On January 18, 2023, Plaintiff filed an incomplete application to proceed *in*
2 *forma pauperis*. ECF No. 2. On January 31, 2023, Plaintiff was instructed to file a
3 properly completed application or pay the full filing fee. ECF No. 5. Plaintiff did
4 not file a completed application nor pay the filing fee. On June 2, 2023, the Court
5 denied Plaintiff's application to proceed *in forma pauperis* and Plaintiff was again
6 directed to pay the full filing fee or submit a properly completed application to
7 proceed *in forma pauperis*. ECF No. 20. Plaintiff has not responded to the
8 Court's Orders.

9 On August 4, 2023, Judge Goeke issued a Report and Recommendation,
10 recommending that the complaint be dismissed without prejudice. ECF No. 22.
11 Plaintiff did not file an objection to the Report and Recommendation. Having
12 considered the Report and Recommendation and the record, the Court adopts the
13 Report and recommendation and dismisses the Complaint without prejudice.

14 Accordingly, **IT IS HEREBY ORDERED:**

- 15 1. Plaintiff's Complaint, **ECF No. 1**, is **DISMISSED** without prejudice.
- 16 2. All pending motions, including ECF No. 15, are **DENIED** as moot.
- 17 3. Plaintiff shall provide notice of the dismissal to any and all
18 Defendants she served with a copy of the Complaint and Summons.
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1 The District Court Executive is directed to file this Order, provide copies to
2 counsel and to *pro se* Plaintiff at both addresses she provided: Brenda Hatley PO
3 Box 544 White Swan, WA 98952 and Brenda Hatley 2021 S 11th Avenue Union
4 Gap, WA 98903, enter judgment, and **CLOSE THE FILE**.

5 DATED August 23, 2023.

6 *s/Mary K. Dimke*
7 MARY K. DIMKE
8 UNITED STATES DISTRICT JUDGE
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